IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Writ Petition No. 5491 of 2004

M/s Patel Plaza Ltd. ..Petitioner

vs.

1. The Additional Collector &
Competent Authority & Ors. ..Respondents

Mr.H.V.Kode with Mr.J.P.Yagnik for petitioner
Mrs.S.S.Bhende, A.G.P. for respondents.

CORAM: A.P.SHAH
& S.U.KAMDAR JJ.
12th August,2004

P.C.

1. This petition can be conveniently disposed of in view of the fact that the petitioner gives up the challenge to the policy of Government reserving 10% of built up area for allotment to Government nominee, the petition can, therefore, be disposed of with the following directions:

(i) The respondent shall allot the remaining flats within a period of two months from the date of receipts of this order. On failure of any of the allottees to pay the full price of the flat allotted to him within a period of two months thereafter the allotment shall stand cancelled and the flat will remain with the petitioner.

(ii) Each allottee would be nominated by the

Government and each allottee will also have to make full payment of the flat within two months of the allotment which will be intimated to the allottee by the respondents. On failure of the said allottee to make full payment within three months of the allotment, the allotment shall stand cancelled.

2. Petition is accordingly disposed of.

The order be communicated to the office of the Chief Minister.